IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.3272 OF 2006

Ananda Nivruti Mohite ...Applicant
vs.
The State of Maharashtra & ors. ...Respondents

Mr.P.R.Pandey for the Applicant
Mr.S.V.More, A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 14,2006.

P.C.:

1. Heard Advocates for the parties. The action in respect of immovable property allegedly in possession of the Applicant has been taken by the Special Recovery Officer in purported exercise of power under the Maharashtra Cooperative Societies Act, 1960 and the Rules framed thereunder.

2. It is for the Petitioner to challenge the action of the Special Recovery Officer in accordance with law. Merely because the assistance of the police machinery was taken by the Special Recovery Officer, this Application under section 482 of the Code of Criminal Procedure, 1973 cannot be entertained by directing the police to open the seal put on the premises by the Special Recovery Officer.

3. Subject to what is stated above, Application is rejected.

JUDGE